



State of New Jersey
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BULLETIN NO. 04-19

TO: ALL NEW JERSEY PRIVATE PASSENGER AUTOMOBILE INSURERS

FROM: HOLLY C. BAKKE, COMMISSIONER

RE: AMENDMENTS TO N.J.A.C. 11:3-4 AND 11:3-5 - EXTENSION OF OPERATIVE DATES

On June 7, 2004, the Department of Banking and Insurance (Department) adopted amendments to N.J.A.C. 11:3-4, 11:3-5 and 11:3-25 (see 36 N.J.R. 2890(a)). The adopted amendments required all private passenger automobile insurers in the State to refile with the Department their decision point review plans. In order to allow time for the review and approval of these plans, an operative date of September 5, 2004 for all of the new rules, amendments and repeals, with the exception of those specified below, was established in the Notice of Adoption.

The purpose of this Bulletin is to notify insurers that the Department has filed a notice with Office of Administrative Law extending the operative date for certain sections of the revised rules as discussed below. The notice will appear in the September 20, 2004 New Jersey Register.

The operative date for all amendments, repeals and new rules, with the exception of N.J.A.C. 11:3-5.6(a), 25.2 and 25.5, 11:3-4.10 which were operative on June 7, 2004, and N.J.A.C. 11:3-4.4(g) which is discussed below, is extended until Wednesday, October 27, 2004. The Department needs additional time to review Decision Point Review Plan filings from insurers and vendors. However, insurers can begin to implement plans as they are approved and need not await the new operative date to implement an approved plan. Insurers that have not yet filed their Decision Point Review Plans should do so no later than September 10 or within 10 days of the approval of their vendor's filing. Filings received after these deadlines may not be approved prior to the extended operative date of the rule.

N.J.A.C. 11:3-4.4(g) establishes the order in which co-payments and deductibles are applied to Personal Injury Protection benefits. It has come to the Department's attention that the changes required by the addition of new subsection (g) to N.J.A.C. 11:3-4.4 will require extensive reprogramming of insurers' systems to implement. Therefore, the operative date for N.J.A.C. 11:3-4.4(g) is extended for 180 days until March 4, 2005.

9/1/04

Date

/s/ Holly C. Bakke

Holly C. Bakke, Commissioner

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